

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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OKIMOTO,

Plaintiff(s),

13 Civ. 4494 (RMB)

-against-

CAI et al.,

Defendant(s).
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USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>11/4/15</u>

Richard M. Berman, U.S.D.J.:

Based upon the record herein, including the Defendants' letter dated October 5, 2015, and the Plaintiff's letter dated October 8, 2015, as well as the hearing held on November 4, 2015, the Court hereby directs that the case is dismissed (without prejudice) for lack of subject matter jurisdiction. See Transcript of hearing held on November 4, 2015.

The Clerk is requested to close this case.

SO ORDERED.

Dated: New York, New York
November 4, 2015

RMB

Hon. Richard M. Berman, U.S.D.J.